

# Exhibit 12

**In The Matter Of:**

***IN RE: THE MATTER OF TERRORIST ATTACKS OF  
SEPTEMBER 11<sup>th</sup>, 2001***

---

**YAQUB MIRZA**  
***May 19, 2010***

---

***CONFIDENTIAL***  
***TC REPORTING in affiliation with Merrill Corp.***  
***11 AMY'S PATH***  
***EAST QUOGUE, N.Y. 11942***

**MIRZA, YAQUB - Vol. 1**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

- - - - - +  
IN RE: The Matter of Terrorist |  
Attacks of September 11th, 2001 | Case No. 157  
- - - - - +

\*\* CONFIDENTIAL \*\*

Videotaped Deposition of YAQUB MIRZA, Ph.D.  
Washington, D.C.  
May 19, 2010  
10:00 a.m.

Job No. 22-179410

Pages 1 - 285

Reported by: Michele E. Eddy, RPR, CRR, CLR

YAQUB MIRZA - 5/19/2010

Page 146	Page 148
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 owned subsidiary named Linda Knoll. Were you</p> <p>3 mistaken?</p> <p>4 A That was the name of the development.</p> <p>5 Q Okay. So the name of the subsidiary was</p> <p>6 Ladova II, Inc.</p> <p>7 A Right.</p> <p>8 Q The project that Ladova was involved in was</p> <p>9 the Linda Knoll project?</p> <p>10 A Development, yes.</p> <p>11 Q Development.</p> <p>12 And that's the property in Prince George's</p> <p>13 County?</p> <p>14 A Yes.</p> <p>15 (Exhibit 4A was marked for identification</p> <p>16 and retained by counsel.)</p> <p>17 Q And just to show you Exhibit 4A, it contains</p> <p>18 a news article and there's some print-outs from public</p> <p>19 records on land transfers, and take a look at that, if</p> <p>20 you would. Is 4A referencing that same property that</p> <p>21 you testified about earlier today, the Linda Knoll</p> <p>22 property in Prince George's County?</p> <p>23 MS. LUQUE: What now goes with this?</p> <p>24 MR. BARENTZEN: This is separate. He's got</p> <p>25 it as 4A.</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 MS. LUQUE: Got you.</p> <p>3 MR. MALONEY: And then it has, unless you</p> <p>4 want 4B --</p> <p>5 MS. LUQUE: Huh-uh.</p> <p>6 MR. MALONEY: -- information obtained from</p> <p>7 public records about the sale of the property.</p> <p>8 MS. LAGUE: And you're on this 4A?</p> <p>9 MR. MALONEY: Yeah.</p> <p>10 A So what's your question, please?</p> <p>11 Q Well, my question is, is this -- this news</p> <p>12 article referring to the property that you testified</p> <p>13 about, the Linda Knolls property in Prince George's</p> <p>14 County?</p> <p>15 A And how do you think I should know that?</p> <p>16 Q Well, take a look at the article.</p> <p>17 A Yeah, I'm looking at it. It says Barnaby</p> <p>18 Knoll. I know it as Linda Knoll.</p> <p>19 Q Why was it called the Linda Knoll project?</p> <p>20 A I have no idea.</p> <p>21 Q Does it have something to do with the</p> <p>22 location of the property?</p> <p>23 A I don't know. I never invest in the site.</p> <p>24 Q Turn to page 2 of that news article and see</p> <p>25 if you can tell if we're talking about the same</p>
Page 147	Page 149
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 THE WITNESS: Separate.</p> <p>3 MS. LUQUE: Yeah, but that's --</p> <p>4 MR. BARENTZEN: He's asking about this</p> <p>5 document.</p> <p>6 MS. LUQUE: No, but he's asking about this.</p> <p>7 MR. MALONEY: Yeah, I --</p> <p>8 MS. LUQUE: You moved this --</p> <p>9 MR. MALONEY: -- I'm including that as 4A.</p> <p>10 They're --</p> <p>11 MS. LUQUE: Okay.</p> <p>12 MR. MALONEY: -- all --</p> <p>13 MS. LUQUE: All right. I just didn't --</p> <p>14 MR. MALONEY: One is press. One is</p> <p>15 print-outs from land transfers.</p> <p>16 MS. LUQUE: This is 4A?</p> <p>17 MR. BARENTZEN: That's part of 4. This is</p> <p>18 4A by itself. Everything else is 4, right?</p> <p>19 MR. MALONEY: 4 is the incorporation, and 4A</p> <p>20 are the press accounts.</p> <p>21 MS. LUQUE: It's starts with --</p> <p>22 MR. MALONEY: It starts -- it starts,</p> <p>23 actually, with the press account --</p> <p>24 MS. LUQUE: Okay.</p> <p>25 MR. MALONEY: -- from The Washington Post.</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 property. It mentions BMI.</p> <p>3 MS. LUQUE: No.</p> <p>4 A I cannot tell you. BMI may have another</p> <p>5 parcel being developed called Barnaby.</p> <p>6 Q In Prince George's County --</p> <p>7 A It could be.</p> <p>8 Q -- named Barnaby Knolls?</p> <p>9 A They were developers and doing business.</p> <p>10 Q Okay. We'll get to post 9-11 in a little</p> <p>11 while, so let's -- let's go to the final group of</p> <p>12 pages in 4A. These are the transfer -- these are --</p> <p>13 these are public records from the property transfer.</p> <p>14 And the seller was Ladova, Inc. -- Ladova II, Inc.,</p> <p>15 that's the wholly owned subsidiary of Sana-Bell,</p> <p>16 correct?</p> <p>17 A Yes.</p> <p>18 Q And are these the houses that you were</p> <p>19 testifying about earlier today in the Linda Knoll</p> <p>20 project?</p> <p>21 A The specific ones I cannot tell you. I know</p> <p>22 that this was the project which was developed. I</p> <p>23 cannot give you the addresses of the houses or how</p> <p>24 many there were.</p> <p>25 Q Okay. Well, Ladova, which is Sana-Bell's</p>

38 (Pages 146 to 149)

YAQUB MIRZA - 5/19/2010

Page 150	Page 152
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 wholly owned subsidiary, correct?</p> <p>3 A Right.</p> <p>4 Q Right?</p> <p>5 A Yes.</p> <p>6 Q Did they sell any other property or develop</p> <p>7 any other property other than the homes in the Linda</p> <p>8 Knoll project?</p> <p>9 A There was -- they were. There was no other</p> <p>10 property developed by them, but I don't know this is a</p> <p>11 complete list of those houses or not.</p> <p>12 Q I didn't ask you that. I want to know if</p> <p>13 what we're looking at are the houses that you</p> <p>14 testified to earlier today that were -- the land was</p> <p>15 purchased by -- and now we now know Ladova --</p> <p>16 A Right.</p> <p>17 Q -- correct?</p> <p>18 A Yes.</p> <p>19 Q Developed by BMI, they built the houses,</p> <p>20 correct?</p> <p>21 A Uh-hmm.</p> <p>22 Q And that were eventually sold?</p> <p>23 A Yes.</p> <p>24 Q And that land transfer became the subject of</p> <p>25 litigation in part, correct?</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 your understanding?</p> <p>3 A The fraudulent transfer --</p> <p>4 Q Okay.</p> <p>5 A -- of titles.</p> <p>6 Q Looking at the property transfer records</p> <p>7 that we see here, the seller is Ladova II, Inc., do</p> <p>8 you see that?</p> <p>9 A Yes.</p> <p>10 Q It doesn't list BMI as the seller, right?</p> <p>11 A They were not the owner. They were the</p> <p>12 manager.</p> <p>13 Q Okay. So wouldn't the transfer, the money</p> <p>14 be made out to the seller, in this case, Ladova?</p> <p>15 A Should have been, but it wasn't.</p> <p>16 Q So you're saying that BMI, despite not</p> <p>17 having title to the property, somehow was able to</p> <p>18 convince the bank and the buyer to transfer the money</p> <p>19 to BMI rather than Ladova?</p> <p>20 A Not quite. They signed off on behalf of</p> <p>21 Ladova without any authority.</p> <p>22 Q Okay. Going back now to the application</p> <p>23 that you filed with the IRS in 1993, you did testify</p> <p>24 about some --</p> <p>25 A The attorneys filed.</p>
Page 151	Page 153
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 A Not litigation, that was not part of</p> <p>3 litigation. Attorneys made a judgment that we want to</p> <p>4 pursue a criminal complaint versus a civil litigation.</p> <p>5 Q I don't understand that. You -- you did</p> <p>6 sue -- Sana-Bell did sue BMI, correct?</p> <p>7 A Yes.</p> <p>8 Q And you testified earlier today that the</p> <p>9 lawsuit was over a couple of things, one of which was</p> <p>10 the transfer of this property in the Linda Knoll</p> <p>11 project, correct?</p> <p>12 A I don't remember the specifics of the</p> <p>13 lawsuit, but a criminal complaint was filed with the</p> <p>14 Prince George's County for this purpose, and that was</p> <p>15 a separate track the attorneys pursued.</p> <p>16 Q Okay. Who filed a complaint with the</p> <p>17 criminal authorities?</p> <p>18 A It was the law firm, Foley Hoag &amp; Eliot.</p> <p>19 Q On behalf of Sana-Bell, Inc.?</p> <p>20 A Or Ladova. I don't remember which one.</p> <p>21 Q One of the two or both?</p> <p>22 A Probably one of the two.</p> <p>23 Q Okay. And so somebody at Sana-Bell said,</p> <p>24 attorneys, we want you to file, Sana-Bell or Ladova,</p> <p>25 file this criminal complaint on what basis; what was</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 Q The attorneys filed but that you signed off</p> <p>3 on.</p> <p>4 A Yes.</p> <p>5 Q In fact, your signature, I think, is on</p> <p>6 here, correct?</p> <p>7 A Yes.</p> <p>8 Q Okay. So you were the voice for Sana-Bell</p> <p>9 in signing this and authorizing the attorneys to</p> <p>10 physically send it to the IRS, correct?</p> <p>11 MS. LUQUE: Objection.</p> <p>12 A And Dr. Saati.</p> <p>13 MS. LUQUE: Objection.</p> <p>14 Q You can answer.</p> <p>15 A Dr. Saati also.</p> <p>16 Q Did Dr. Saati signed off on this?</p> <p>17 A No.</p> <p>18 Q You --</p> <p>19 MS. LUQUE: Objection to the</p> <p>20 characterization, voice.</p> <p>21 Q You signed off, correct?</p> <p>22 A Yes, I did.</p> <p>23 MS. LUQUE: He signed it.</p> <p>24 Q I want to direct you to --</p> <p>25 A But I'm not sure I appreciate the word</p>

39 (Pages 150 to 153)

YAQUB MIRZA - 5/19/2010

Page 202	Page 204
<p>1 <b>YAQUB MIRZA, PH.D. - CONFIDENTIAL</b></p> <p>2 the money was repaid to Mr. Al-Ali and the IIRO?</p> <p>3 A He may have. I'm not aware of it because I</p> <p>4 did not read all the briefings and filings and --</p> <p>5 Q I understand. I'm not trying to probe in</p> <p>6 terms of the actual legal issues, but factually</p> <p>7 speaking, did you ever learn that Bihieri was</p> <p>8 claiming, hey, we did give the money back, we gave it</p> <p>9 to Al-Ali, who claimed to be, you know, Sana-Bell and</p> <p>10 the IIRO? Did you ever hear something like that?</p> <p>11 A He paid some monies to him, I don't know how</p> <p>12 much, and when did he do that?</p> <p>13 Q And what?</p> <p>14 A When did he do that?</p> <p>15 Q I'm asking you what you remember.</p> <p>16 A Yeah. I don't know. I mean, he -- he</p> <p>17 did -- there were documents to show that he disbursed</p> <p>18 some monies to Al-Ali, and that was subject of the</p> <p>19 meeting. And prior to that they had discussions in</p> <p>20 Saudi Arabia. But I don't know what was his claim,</p> <p>21 how much he gave it to him.</p> <p>22 Q Did -- did Mr. Al-Ali ever sit for a</p> <p>23 deposition, to your knowledge?</p> <p>24 A He was deposed.</p> <p>25 Q He was deposed?</p>	<p>1 <b>YAQUB MIRZA, PH.D. - CONFIDENTIAL</b></p> <p>2 the company.</p> <p>3 Q Folding BMI?</p> <p>4 A BMI, yes.</p> <p>5 Q When did that fold?</p> <p>6 A I'm not sure when it happened but it</p> <p>7 happened during those periods.</p> <p>8 Q Did you ever speak to Mr. Al-Ali when he was</p> <p>9 living or staying in San Diego, California?</p> <p>10 A He called me one time.</p> <p>11 Q Why did he call you?</p> <p>12 A He said he's going to be in Virginia, if he</p> <p>13 can see me. And I told him, yeah, sure, if you come,</p> <p>14 that's fine.</p> <p>15 Q Did he tell you what he wanted to see you</p> <p>16 about?</p> <p>17 A You know, there was -- he was rambling about</p> <p>18 the organizations and we need to reorganize and we do</p> <p>19 this and that, but it didn't make much sense.</p> <p>20 Q I'm not following. He was talking about</p> <p>21 Sana-Bell needing to reorganize?</p> <p>22 A Sana-Bell -- yes.</p> <p>23 Q And did you ask him why he was --</p> <p>24 A He was an investment --</p> <p>25 Q -- interfering with Sana-Bell? He's not</p>
Page 203	Page 205
<p>1 <b>YAQUB MIRZA, PH.D. - CONFIDENTIAL</b></p> <p>2 A Yes.</p> <p>3 Q And do you know what he said in terms of his</p> <p>4 connection, if any, to Sana-Bell?</p> <p>5 A I did not read his deposition.</p> <p>6 Q I know, but do you know what he said about</p> <p>7 it?</p> <p>8 A No, I don't.</p> <p>9 Q When you got the -- when Sana-Bell got the</p> <p>10 default judgment -- withdrawn.</p> <p>11 Do you recall approximately how much the</p> <p>12 default judgment was for?</p> <p>13 A No. It was several million, but I don't</p> <p>14 remember the number.</p> <p>15 Q Okay. Once you had the default judgment for</p> <p>16 several million, you said that Sana-Bell's attorneys</p> <p>17 tried to collect it. Do you know if they went to the</p> <p>18 IIRO to try to collect it?</p> <p>19 A I don't know, no.</p> <p>20 Q Do you know if they went to Mr. Al-Ali to</p> <p>21 try to collect it?</p> <p>22 A He wasn't here. He left the country by that</p> <p>23 time.</p> <p>24 Q How about Mr. Bihieri?</p> <p>25 A I think he was also in Egypt after folding</p>	<p>1 <b>YAQUB MIRZA, PH.D. - CONFIDENTIAL</b></p> <p>2 part of Sana-Bell, according to you.</p> <p>3 A -- investment committee member.</p> <p>4 Q Okay. So as an investment committee member,</p> <p>5 he called you and said, we need to reorganize</p> <p>6 Sana-Bell, something like that?</p> <p>7 A I cannot be very sure, but it's something</p> <p>8 like this, yes.</p> <p>9 Q And you recall that call -- phone call was</p> <p>10 in sometime late '98 and -- or '99?</p> <p>11 A Some -- in that time frame, yes. There were</p> <p>12 a lot of confusion, the faxes back and forth, and all</p> <p>13 that went on.</p> <p>14 Q Faxes back and forth between who?</p> <p>15 A Saudi Arabia, and they are asking for the</p> <p>16 accounting from BMI, and I've been asked and then I</p> <p>17 respond to them and ...</p> <p>18 Q Why -- why were they asking that in mid --</p> <p>19 late '98 and then '99. Why was that a big issue?</p> <p>20 A I don't know, but their investment, they can</p> <p>21 ask anytime.</p> <p>22 Q Was Mr. Al-Ali living in San Diego at the</p> <p>23 time he called you in '99?</p> <p>24 A I don't know.</p> <p>25 Q Did you understand he was calling you from</p>

52 (Pages 202 to 205)

YAQUB MIRZA - 5/19/2010

Page 238	Page 240
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 MS. LUQUE: We were looking at it earlier.</p> <p>3 Now I can't find it. I should have numbered these</p> <p>4 before.</p> <p>5 THE WITNESS: Yeah.</p> <p>6 MS. LUQUE: All right. Okay.</p> <p>7 BY MR. CARTER:</p> <p>8 Q Within that document, Dr. Mirza, the third</p> <p>9 paragraph --</p> <p>10 A Yes.</p> <p>11 Q -- and I recognize that it's very difficult</p> <p>12 to read --</p> <p>13 A Right.</p> <p>14 Q -- appears to describe the amount of the</p> <p>15 loans that had already been made to Sana-Bell, Inc.,</p> <p>16 by IIRO. Do you see that paragraph?</p> <p>17 A Yes.</p> <p>18 MS. LUQUE: I can't read this. Can you read</p> <p>19 that?</p> <p>20 THE WITNESS: Just the middle, middle part.</p> <p>21 MS. LUQUE: Well, can you read it enough to</p> <p>22 answer that question yes?</p> <p>23 THE WITNESS: It just says, "IIRO has</p> <p>24 provided loans of." I don't know what the amount is.</p> <p>25 MS. LUQUE: To who is not visible. How much</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 liability.</p> <p>3 MS. LUQUE: However, it's clear. The amount</p> <p>4 is clear, which it isn't here.</p> <p>5 THE WITNESS: All right.</p> <p>6 BY MR. CARTER:</p> <p>7 Q Now, you mentioned that there were some</p> <p>8 difficulties providing -- obtaining an accurate</p> <p>9 accounting from BMI sometime in the late 1990s. What</p> <p>10 allowed you to identify the problems with BMI's</p> <p>11 accounting?</p> <p>12 A What do you mean, allowed me?</p> <p>13 Q Did they fail to provide some information to</p> <p>14 you?</p> <p>15 A Yeah, as I mentioned, they were sending us</p> <p>16 the K-1s and no details of the accounts, and there</p> <p>17 were amount disbursed. We couldn't get the</p> <p>18 explanation where this money has gone.</p> <p>19 Q Did you need that information to file tax</p> <p>20 returns?</p> <p>21 A Of course. How do you reconcile your books?</p> <p>22 Q Did you have difficulty filing tax returns</p> <p>23 in any years as a result of not having that</p> <p>24 information?</p> <p>25 A It did, yes.</p>
Page 239	Page 241
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 is not visible. I don't think --</p> <p>3 MR. CARTER: Counsel, I'll clarify that.</p> <p>4 BY MR. CARTER:</p> <p>5 Q This is Sana-Bell's financial statement?</p> <p>6 A Auditor's statement, yes.</p> <p>7 Q Would you expect that the auditor's</p> <p>8 statement for Sana-Bell would have reflected the</p> <p>9 amount of the loans that had been provided and to</p> <p>10 which Sana-Bell was obligated to repay IIRO?</p> <p>11 A Sure.</p> <p>12 Q So if we can get a legible copy of that</p> <p>13 document, it should provide us with the aggregate</p> <p>14 amount of the IIRO loans to Sana-Bell as of that date</p> <p>15 in 1994?</p> <p>16 A It should provide who are the lenders.</p> <p>17 Whether it's IIRO or other entities, I cannot say.</p> <p>18 Q But it should identify the IIRO loans?</p> <p>19 A The 2 million, which I know for sure, and</p> <p>20 it's also shown in the liabilities. It doesn't have</p> <p>21 to be in the notes. That's more accurate accounting</p> <p>22 when we look at the assets and liabilities.</p> <p>23 Q But the assets and liabilities won't</p> <p>24 identify the lender, will it?</p> <p>25 A It won't, yeah, it's just line item, total</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 Q Did the tax returns that you filed actually</p> <p>3 reflect that difficulty?</p> <p>4 A You don't file if you have a problem. The</p> <p>5 accountants, whatever they could do, they filed. When</p> <p>6 we couldn't get the information, I don't believe they</p> <p>7 filed any tax returns.</p> <p>8 Q Do you recall the first contact that anyone</p> <p>9 from Sana-Bell had with BMI in an attempt to obtain</p> <p>10 the necessary information?</p> <p>11 A What's your question?</p> <p>12 Q Do you recall when the first contact --</p> <p>13 A Oh, first contact.</p> <p>14 Q -- occurred from Sana-Bell to BMI to try and</p> <p>15 reconcile this information?</p> <p>16 A It was yearly, yearly function, and someone</p> <p>17 from my office accountant would call to say, we need</p> <p>18 the K-1. They came for a couple of years. Then they</p> <p>19 stopped.</p> <p>20 Q And did you communicate the difficulties you</p> <p>21 were having in obtaining the K-1s from BMI to anyone</p> <p>22 in Saudi Arabia?</p> <p>23 A It was Al Saati first and then Bahafzallah.</p> <p>24 Q For the early years of Sana-Bell, you dealt</p> <p>25 exclusively with Al Saati?</p>

61 (Pages 238 to 241)



YAQUB MIRZA - 5/19/2010

Page 242	Page 244
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 A Al Saati, yes.</p> <p>3 Q Did you have occasion to call him?</p> <p>4 A He will call me.</p> <p>5 Q Did you ever call him during that period?</p> <p>6 A It's possible, but it was really him calling</p> <p>7 me.</p> <p>8 Q Did you ever send him any correspondence?</p> <p>9 A Sure.</p> <p>10 Q Where did you send that correspondence, do</p> <p>11 you recall?</p> <p>12 A He gave me a fax number and I will fax it.</p> <p>13 Q The Sana-Bell investments in the two BMI</p> <p>14 limited partnerships, was that money, in your</p> <p>15 estimation, illegally transferred out of the limited</p> <p>16 partnerships?</p> <p>17 A I don't know.</p> <p>18 Q Was it Sana-Bell's contention in the</p> <p>19 litigation filed against BMI that the money had been</p> <p>20 illegally transferred out of the limited partnerships?</p> <p>21 A No. Nobody talked about it. It was simply</p> <p>22 try to find out where is the money and get the</p> <p>23 accounting for it.</p> <p>24 Q Was it the contention in the lawsuit that</p> <p>25 Al-Ali had authorized the transfer of the money out of</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 transferred.</p> <p>3 Q Is there any reason Sana-Bell would have</p> <p>4 remained in business with BMI relative to the Prince</p> <p>5 George's project after it had discovered BMI's</p> <p>6 misconduct with regard to the investments in the</p> <p>7 limited partnerships?</p> <p>8 A There wasn't any business. Land was owned</p> <p>9 by Ladova, which was Knoll -- Linda Knoll development,</p> <p>10 wholly owned subsidiary, and a management agreement</p> <p>11 was signed to do the construction. So there was no</p> <p>12 ongoing relationship except that we were supposed to</p> <p>13 get the money, which we never did.</p> <p>14 Q Was there any effort made to stop BMI from</p> <p>15 illegally transferring the Prince George's properties</p> <p>16 after you discovered the problems with the limited</p> <p>17 partnerships?</p> <p>18 A We left it to the attorneys, and attorneys</p> <p>19 did call the Attorney General's office of Prince</p> <p>20 George's County, and they refused to investigate.</p> <p>21 Q No criminal charges were filed in relation</p> <p>22 to the Prince George's County problem?</p> <p>23 A They refused to investigate so how could</p> <p>24 they file criminal charges?</p> <p>25 Q And there was an election not to pursue a</p>
Page 243	Page 245
<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 limited partnerships?</p> <p>3 A It might have. I -- I don't remember.</p> <p>4 Q Who was responsible for handling the</p> <p>5 litigation from Sana-Bell's perspective?</p> <p>6 A Bahafzallah and myself.</p> <p>7 Q Ultimately, all of the money that Sana-Bell</p> <p>8 had invested in the BMI limited partnerships was lost,</p> <p>9 correct?</p> <p>10 A Yes.</p> <p>11 Q And all of the money that was invested in</p> <p>12 the Prince George's County investments was lost,</p> <p>13 correct?</p> <p>14 A Yes.</p> <p>15 Q So that aggregate loss was somewhere</p> <p>16 approaching 3 million dollars?</p> <p>17 A No, 2.6.</p> <p>18 Q 2.6 million dollars. I shouldn't round up.</p> <p>19 A That's okay.</p> <p>20 Q It's a significant round up. Fair point.</p> <p>21 Mr. Maloney mentioned earlier that some of</p> <p>22 the transfers of the properties in the Prince George's</p> <p>23 development project seemed to have occurred in 1999</p> <p>24 and 2000. Is that your recollection?</p> <p>25 A No. I didn't know when they were</p>	<p>1 YAQUB MIRZA, PH.D. - CONFIDENTIAL</p> <p>2 civil suit relative to that problem?</p> <p>3 A I -- I don't know what strategies the</p> <p>4 attorneys followed.</p> <p>5 Q Under the original Articles of</p> <p>6 Incorporation, the initial directors had</p> <p>7 staggered-term periods, correct?</p> <p>8 A Yes.</p> <p>9 Q My recollection is that your initial term</p> <p>10 was five years; is that accurate?</p> <p>11 A Correct.</p> <p>12 Q Was that timely renewed before the five-year</p> <p>13 period expired?</p> <p>14 A No.</p> <p>15 Q What about with respect to the other</p> <p>16 directors?</p> <p>17 A There was no meeting.</p> <p>18 Q At any point did you have any meeting</p> <p>19 between 1989 and 1996 with the Board of Directors?</p> <p>20 A No.</p> <p>21 MR. CARTER: Can we make this 10.</p> <p>22 (Exhibit 10 was marked for identification</p> <p>23 and retained by counsel.)</p> <p>24 A Yes.</p> <p>25 Q Do you recognize the document that's been</p>

62 (Pages 242 to 245)



YAQUB MIRZA - 5/19/2010

Page 282	Page 284
1 YAQUB MIRZA, PH.D. - CONFIDENTIAL	1 YAQUB MIRZA, PH.D. - CONFIDENTIAL
2 ***	2 ERRATA SHEET
3 ACKNOWLEDGEMENT OF WITNESS	3 IN RE: In The Matter of Terrorist Attacks of
4 I, YAQUB MIRZA, Ph.D., do hereby acknowledge	4 September 11th, 2001
5 that I have read and examined the foregoing testimony,	5
6 and the same is a true, correct and complete	6
7 transcription of the testimony given by me, and any	7 RETURN BY: _____
8 corrections appear on the attached Errata sheet signed	8 PAGE LINE CORRECTION AND REASON
9 by me.	9 _____
10	10 _____
11	11 _____
12	12 _____
13 (DATE) (SIGNATURE)	13 _____
14	14 _____
15	15 _____
16	16 _____
17	17 _____
18	18 _____
19	19 _____
20	20 _____
21	21 _____
22	22 _____
23	23 _____
24	24 (DATE) (SIGNATURE)
25	25

  

Page 283	Page 285
1 YAQUB MIRZA, PH.D. - CONFIDENTIAL	1 YAQUB MIRZA, PH.D. - CONFIDENTIAL
2 CERTIFICATE OF SHORTHAND REPORTER	2 ERRATA SHEET
3 I, Michele E. Eddy, Registered Professional	3 IN RE: In The Matter of Terrorist Attacks of
4 Reporter and Certified Realtime Reporter, the court	4 September 11th, 2001
5 reporter before whom the foregoing deposition was	5
6 taken, do hereby certify that the foregoing transcript	6 RETURN BY: _____
7 is a true and correct record of the testimony given;	7 PAGE LINE CORRECTION AND REASON
8 that said testimony was taken by me stenographically	8 _____
9 and thereafter reduced to typewriting under my	9 _____
10 supervision; and that I am neither counsel for,	10 _____
11 related to, nor employed by any of the parties to this	11 _____
12 case and have no interest, financial or otherwise, in	12 _____
13 its outcome.	13 _____
14	14 _____
15 IN WITNESS WHEREOF, I have hereunto set my	15 _____
16 hand and affixed my notarial seal this 28th day of	16 _____
17 May, 2010.	17 _____
18	18 _____
19 My commission expires June 12, 2012	19 _____
20	20 _____
21	21 _____
22	22 _____
23	23 _____
24 MICHELE E. EDDY	24 _____
25 NOTARY PUBLIC IN AND FOR	25 (DATE) (SIGNATURE)
THE DISTRICT OF COLUMBIA	

72 (Pages 282 to 285)

TC REPORTING in affiliation with Merrill Corp.,  
(516) 795-7444